

Application No.: 10/578,638
Amendment Dated: February 21, 2011
Reply to Office Action of: December 3, 2010

MAT-8849US

Remarks/Arguments:

Claims 1-4 have been amended. No new matter is introduced herein. Claims 1-24 are pending.

Applicant appreciates the courtesy extended to his representatives by Examiner Williams and Supervisor Moise during the telephone interview of January 4, 2011. During the course of the interview, the Examiner clarified the specification objections, the drawing objections and the rejection of claims 1-24 under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. No agreement was reached. Applicant's representatives subsequently provided the Examiner with a proposed Amendment. Responsive to Applicant's proposed amendment, the Examiner contacted Applicant's representatives on January 25, 2011. The Examiner agreed that the proposed amendment to claim 1 overcomes the objection to the specification, the objection to the drawings, and the § 112, first paragraph rejection. The Examiner indicated that the application will be reconsidered upon filing of an amendment to the pending Office Action.

Claim 1 has been amended to replace "first authentication" with "authentication." Claim 1 has also been amended to recite that "the first data processor means and the second data processor means, responsive to the authentication between the first data processor means and the second data processor means, interchange the second data for mutual authentication to set the portable unit for the immobilizer unit." Claims 2-4 have been amended similarly to claim 1. No new matter is introduced herein. Basis for the amendment includes, for example, page 6, line 20 - page 8, line 25; and Figs. 2, 3 and 10-12 of the subject specification.

The specification has been objected to as failing to provide proper antecedent basis for the feature of the first and second data processor means authenticating each other by a second authentication, responsive to a first authentication. In addition, the drawings have been objected to because it is asserted that the feature of "performing two mutual authentications, wherein one mutual authentication is performed in response to the other" is not shown in the drawings. Furthermore, claims 1-24 have been rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement because it is asserted that "Applicant has not pointed

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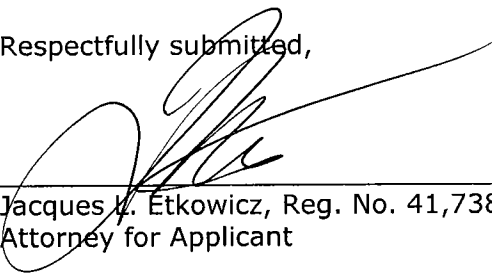
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out where the new (or amended) claim is supported, nor does there appear to be a written description of the claim limitations in the application as filed." As discussed above, claims 1-4 have been amended to clarify that the first and second data processor means, responsive to the authentication, interchange second data for mutual authentication to set the portable unit for the immobilizer unit. As acknowledged by the Examiner during the telephone interview of January 25, 2011, the proposed amendment overcomes the objection to the specification, the objection to the drawings and the § 112, first paragraph rejection for failing to comply with the written description requirement. Accordingly, Applicant respectfully requests that the objection to the specification, the objection to the drawings and the § 112, first paragraph rejection be withdrawn.

Applicant notes that, on page 7 of the Office Action, the rejection of claims 1-24 under 35 U.S.C. § 103(a) has been withdrawn. Accordingly, Applicant submits that claims 1-24, as amended, are in condition for allowance.

In view of the amendments and arguments set forth above, the above-identified application is in condition for allowance which action is respectfully requested.

Respectfully submitted,



Jacques L. Etkowicz, Reg. No. 41,738
Attorney for Applicant

DMG/fp

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P.O. Box 980
Valley Forge, PA 19482
(610) 407-0700

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